

MAR 18 2006

Attorney Docket No.: VN-169RI

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In Re Reissue Application of: Rangan, et al.

)

Application No.: 09/173,582

)

Examiner: Ton, D.

)

Filed: October 15, 1998

)

Group Art Unit: 2661

)

For: DATA COMMUNICATION NETWORK  
WITH TRANSFER PORT, CASCADE PORT  
AND/OR FRAME SYNCHRONIZING  
SIGNAL

)

)

)

)

I certify that this document was sent via facsimile on the date indicated below to 571-273-8300.

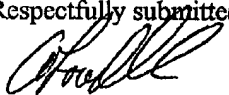
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450PETITION AND FEE UNDER 37 C.F.R. 1.47

Sir:

Applicant hereby petitions pursuant to 37 C.F.R. 1.47 for the USPTO to accept the Inventor Declaration for the above-identified application even though one co-inventor, Richard Thaik, has not been located after diligent efforts. The relevant facts are set forth in the Declaration of Alan Loudermilk. The last known address for Mr. Thaik is 1566 Cleo Springs Drive, San Jose CA 95131, or 4325 Renaissance Drive, San Jose, CA 95134. All other co-inventors have signed the Inventor Declaration for this application. Please charge Deposit Account No. 50-0251 in the amount of \$130.00 for the petition fee.

Please charge any additional fees due, or credit any overpayment, to Deposit Account No. 50-0251. An additional copy of this document is enclosed.

Respectfully submitted,

  
Alan R. Loudermilk  
Registration No. 32,788  
Attorney for Applicant(s)March 18, 2006  
P.O. Box 3607  
Los Altos, CA 94024-0607  
408-868-1516

03/21/2006 EFLONES 00000101 500251 09173582

01 FC:1464 130.00 DA

03/21/2006 EFLONES 00000102 500251 09173582

01 FC:1463 200.00 DA

PTO/SB/51 (02-01)

Approved for use through 01/31/2004. OMB 0551-0033  
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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## REISSUE APPLICATION DECLARATION BY THE INVENTOR

Docket Number (Optional)

VN169R1

As a below named inventor, I hereby declare that:

My residence, mailing address and citizenship are stated below next to my name.

I believe I am the original, first and sole inventor (if only one name is listed below) or an original, first and joint inventor (if plural names are listed below) of the subject matter which is described and claimed in patent number 5,566,169, granted October 15, 1996, and for which areissue patent is sought on the invention entitled Data Communication Network with Transfer Port, Cascade Port and/or Frame Synchronizing Signal the specification of which☐ is attached hereto.☒ was filed on October 15, 1998 as reissue application number 09 / 173,582 and was amended on 5/17/2000 and 7/16/2005.  
(If applicable)

I have reviewed and understand the contents of the above identified specification, including the claims, as amended by any amendment referred to above.

I acknowledge the duty to disclose information which is material to patentability as defined in 37 CFR 1.56.

I verily believe the original patent to be wholly or partly inoperative or invalid, for the reasons described below. (Check all boxes that apply.)

☐ by reason of a defective specification or drawing.☒ by reason of the patentee claiming more or less than he had the right to claim in the patent.☐ by reason of other errors.

At least one error upon which reissue is based is described below. If the reissue is a broadening reissue, such must be stated with an explanation as to the nature of the broadening:

by reason of claiming only the subject matter of claims 1-15, which is less than the full right to claim in the original application. Accordingly, new claims 16-141 were added. For example, comparing claim 16 to original claim 14, claim 14 was limited to a "receive memory device," a "transmit memory device," a "plurality of receive datapaths," and a "plurality of transmit datapaths." As the originally-filed specification makes clear, this was less than Applicant was entitled to claim, and therefore new claim 16, which parallels original claim 14, recites a "receive memory," a "transmit memory," "one or more receive datapaths," and "one or more transmit data paths," which broaden these claim elements and correct one such error. In addition, Applicant, in combination with independent claim 16, was entitled to claim the subject matter of dependent claims 17-57, but did not do so in the original application. Similar errors of claiming less than Applicant was entitled to claim can be seen from the subject matter of new claims 58-141, which include subject matter that Applicant was entitled to claim but did not in the original application.

(Page 1 of 3)

Burden Hour Statement: This form is estimated to take 0.5 hours to complete. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you are required to complete this form should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Assistant Commissioner for Patents, Washington, DC 20231.

PTO/SB/51 (02-01)

Approved for use through 01/31/2004, OMB 0851-0033  
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(REISSUE APPLICATION DECLARATION BY THE INVENTOR, page 2)		Docket Number (Optional) <b>VN169RI</b>	
All errors corrected in this reissue application arose without any deceptive intention on the part of the applicant. As a named inventor, I hereby appoint the following attorney(s) and/or agent(s) to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith.			
Name(s)		Registration Number	
Alan R. Loudermilk		32,788	
Correspondence Address: Direct all communications about the application to:			
<input type="checkbox"/> Customer Number		<div style="border: 1px solid black; width: 150px; height: 20px; margin: 0 auto;"></div> Type Customer Number here	
<div style="border: 1px solid black; width: 150px; height: 20px; margin: 0 auto; text-align: center;">         Place Customer Number Bar Code Label here       </div>			
<input checked="" type="checkbox"/> Firm or Individual Name	Loudermilk & Associates		
Address	P. O. Box 3607		
Address	Suite B		
City	Los Altos	State	CA Zip 94024-0607
Country	USA		
Telephone	408-868-1516	Fax	408-868-1517
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine and imprisonment, or both, under 18 U.S.C. 1001, and that such willful false statements may jeopardize the validity of the application, any patent issuing thereon, or any patent to which this declaration is directed.			
Full name of sole or first inventor (given name, family name) <b>GEETHA N.K. RANGAN</b>			
Inventor's signature	<i>Geetha Rangan</i>		Date <i>March 16, 2006</i>
Residence	14215 Amherst Ct Los Altos CA 94022		Citizenship <i>India U.S.A. Ind</i>
Mailing Address	14215 Amherst Ct Los Altos Hills CA 94022		
Full name of second joint inventor (given name, family name) <b>DEBRA J. WORSLEY</b>			
Inventor's signature	<i>Debra J. Worsley</i>		Date <i>2/10/2006</i>
Residence	1723 W. Hedding Street, San Jose, CA 95126		Citizenship <i>USA</i>
Mailing Address	1723 W. Hedding Street, San Jose, CA 95126		
Full name of third joint inventor (given name, family name) <b>RICHARD THAIK</b>			
Inventor's signature			Date
Residence	1566 CLEO SPRINGS DRIVE, SAN JOSE, CA 95131		Citizenship <i>US</i>
Mailing Address	1566 CLEO SPRINGS DRIVE, SAN JOSE, CA 95131		
<input checked="" type="checkbox"/> Additional joint inventors are named on separately numbered sheets attached hereto.			

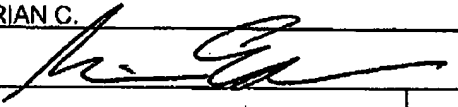
(Page 2 of 3)

PTO/SB/02A (05-03)

Approved for use through 04/30/2003. OMB 0681-0032

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

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DECLARATION		ADDITIONAL INVENTOR(S) Supplemental Sheet	
		Page 1 of 1	
Name of Additional Joint Inventor, If any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
BRIAN C.		EDEM	
Inventor's Signature 		Date 2/27/06	
Residence: City	Saratoga	State	CA
		Country	USA
		Citizenship	USA
Mailing Address 14020 Arcadia Palms Dr.			
Mailing Address 14020 Arcadia Palms Dr.			
City	Saratoga	State	CA
		Zip	95070
		Country	USA
Name of Additional Joint Inventor, If any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature			
Residence: City		State	
		Country	
		Citizenship	
Mailing Address			
Mailing Address			
City		State	
		Zip	
		Country	
Name of Additional Joint Inventor, If any:		<input type="checkbox"/> A petition has been filed for this unsigned inventor	
Given Name (first and middle (if any))		Family Name or Surname	
Inventor's Signature		Date	
Residence: City		State	
		Country	
		Citizenship	
Mailing Address			
Mailing Address			
City		State	
		Zip	
		Country	

This collection of information is required by 35 U.S.C. 118 and 37 CFR 1.63. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 21 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 (1-800-786-9199) and select option 2.

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Application No.: 09/173,582 ) Examiner: Ton, D.  
Filed: October 15, 1998 )  
For: DATA COMMUNICATION ) Group Art Unite: 2661  
NETWORK WITH TRANSFER PORT, )  
CASCADE PORT AND/OR FRAME )  
SYNCHRONIZING SIGNAL )

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

DECLARATION OF ALAN R. LOUDERMILK

I, Alan R. Loudermilk, am the patent attorney prosecuting this reissue application on behalf of the Applicant.

In response to a telephone call from Examiner Ton, I endeavored to have a new declaration re-executed by all of the inventors for this application. After considerable effort, I was able to obtain the signatures of inventors Rangan, Worsley and Edem. I have been unable to locate the third named inventor, Richard Thaik.

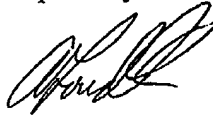
This declaration is provided to explain that I have made a diligent effort in attempting to locate Richard Thaik. He is no longer employed with the former assignee of the patent that is being reissued (National Semiconductor), and he is no longer employed by his last known employer (Cisco Systems). It was at Cisco Systems in San Jose that I last met Mr. Thaik in May 1999, which was at the time of execution of the originally-submitted declaration. My recent efforts to location Mr. Thaik include the following.

I made numerous calls to Cisco System and was unable to determine any information regarding his current whereabouts. A letter sent to Cisco Systems was returned to sender. Responses were not received to the letters sent to his last two (believed) home addresses (1566 Cleo Springs Drive, San Jose CA 95131, and 4325 Renaissance Drive, San Jose, CA 95134). Calls to directory assistance were unsuccessful. Various Internet-based searches were not successful. I attempted to track Mr. Thaik down through Purdue University, from which he graduated and to which he has contributed over the years, but the contact information that he maintained with Purdue University had not been updated. I spoke with numerous former colleagues of Mr. Thaik, and none had any information regarding his whereabouts.

Based on the previously friendly and cooperative interaction that I had with Mr. Thaik in 1999, it would seem that he has moved to an unknown location and has not received, or is not in position to receive, the correspondence that has been sent to him. Accordingly, and in view of the foregoing, Applicant is submitting a new Declaration executed by the remaining co-inventors and requests that this new Declaration be accepted by the US Patent Office.

I declare that all statements made herein of my knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the reissue application or any patent issued thereon.

Respectfully submitted,



Alan R. Loudermilk  
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